

PR60351USw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Britton et al.

Serial No.: 10/565,296

Filing Date: July 27, 2004

Art Unit: Unknown

Examiner: Unknown

Title: Cycloalkylidene Compounds As Modulators of Estrogen Receptor

Assistant Commissioner for Patents

Mail Stop PCT

PO Box 1450

Alexandria, VA 22313-1450

SUBMISSION OF DECLARATION**37 CFR 1.497**

Sir:

The accompanying Declaration for Utility or Design Patent Application is submitted in response to the Office's Decision on Petition ("Decision") of January 10, 2007. The Decision objected to the previous Declaration of inventor Jonathan Britton due to an un-initialed alteration to Mr. Britton's city of residence.

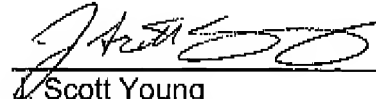
The accompanying Declaration has been newly signed by all inventors. Thus, the previous objection has been rendered moot. Please note that the Declaration identifies the application by PCT International application number and the original title of the Application "Chemical Compounds", which title was changed to "Cycloalkylidene Compounds As Modulators of Estrogen Receptor" during prosecution in the international phase of the application.

Applicants submit that the accompanying Declaration places the Application in compliance with 37 CFR 1.497, and that the Application is ready for substantive examination. Such examination is hereby requested.

PR60351USw

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sect 1.16 or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392.

Respectfully submitted,



J. Scott Young
Attorney for Applicant
Registration No. 45,582

Date: Feb 15 2007
GlaxoSmithKline
Corporate Intellectual Property
Five Moore Drive
P.O. Box 13398
Research Triangle Park, NC 27709-3398
Phone: 919-483-8160
Facsimile: 919-483-7988

PTO/SB/01 (08-03)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge) (37 CFR 1.16 (e)) required	Attorney Docket Number	PR60351USW	
	First Named Inventor	Britton et al.	
	COMPLETE IF KNOWN		
	Application Number	10/565,296	
	Filing Date		
	Art Unit	1625	
	Examiner Name		

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Chemical Compounds

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number **PCT/US2004/024308 filed on July 27, 2004** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02/B attached hereto:

[Page 1 of 4]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DECLARATION – Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number **23347** OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle (if any))Family Name
Or Surname**Jonathan E.****BRITTON**Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Skyland**NC****US****US**

Mailing Address

PO Box 35

City

State

ZIP

Country

Skyland**NC****28776****US****NAME OF SECOND INVENTOR:**☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle (if any))Family Name
Or Surname**Jing****FANG**Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Durham**NC****US****CN**

Mailing Address

c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398

City

State

ZIP

Country

Research Triangle Park**NC****27709****US**☐ Additional inventors are being named on the

supplemental Additional Inventor(s) sheet(s) PTO/SB/02S or 02LR attached hereto

[Page 2 of 4]

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 4	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Dennis		HEYER	
Inventor's Signature		Date	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Aaron Bayne		MILLER	
Inventor's Signature		Date	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Frank		NAVAS, III	
Inventor's Signature		Date	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 4 of 4	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Terrence Lee		SMALLEY, Jr.	
Inventor's Signature		Date	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
William J.		ZUERCHER	
Inventor's Signature		Date	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Subba Reddy		KATAMREDDY	
Inventor's Signature		Date	
Residence: City Durham	State NC	Country US	Citizenship IN
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US

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	First Named Inventor		Britton et al.		
	COMPLETE IF KNOWN				
	Application Number		10/565,296		
	Filing Date				
	Art Unit		1625		
		Examiner Name			

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number **PCT/US2004/024308 filed on July 27, 2004** and was amended on (MM/DD/YYYY) (if applicable).

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Name

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ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle (if any))Family Name
Or Surname**Jonathan E.****BRITTON**Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Skyland**NC****US****US**

Mailing Address

PO Box 35

City

State

ZIP

Country

Skyland**NC****28776****US****NAME OF SECOND INVENTOR:**☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle (if any))Family Name
Or Surname**Jing****FANG**Inventor's
Signature

Date

2/6/2007

Residence: City

State

Country

Citizenship

Durham**NC****US****CN**

Mailing Address

c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398

City

State

ZIP

Country

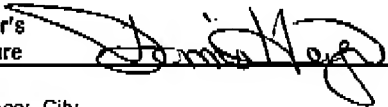
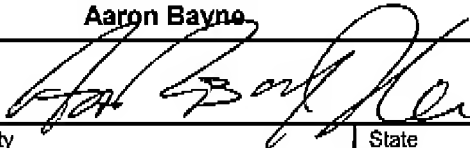
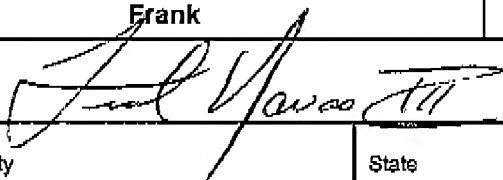
Research Triangle Park**NC****27709****US**☐ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02S or 02LR attached hereto

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 4	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Dennis		HEYER	
Inventor's Signature 		Date 02/06/2007	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Aaron Bayne		MILLER	
Inventor's Signature 		Date 02/07/07	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Frank		NAVAS, III	
Inventor's Signature 		Date 2/6/2007	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US

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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Terrence Lee		SMALLEY, Jr.	
Inventor's Signature <i>Terrence Lee Smalley Jr</i>		Date 2/12/2007	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
William J.		ZUERCHER	
Inventor's Signature <i>WJZ</i>		Date 2-8-07	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Subba Reddy		KATAMREDDY	
Inventor's Signature <i>SReddy</i>		Date 02/06/2007	
Residence: City Durham	State NC	Country US	Citizenship IN
Mailing Address c/o GlaxoSmithKline, Five Moore Drive, PO Box 13398			
City Research Triangle Park	State NC	ZIP 27709	Country US

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